

Page Denied

Central Intelligence Agency



Washington, D.C. 20505

15 October 1986

The Honorable James C. Miller, III
Director
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Miller:

This is in response to your request for the views of the Director of Central Intelligence on enrolled bill H.R. 4952, the Electronic Communication Privacy Act of 1986.

The Central Intelligence Agency and the National Security Agency have been concerned about the possible adverse impact on foreign intelligence collection activities of certain provisions contained in the Electronic Communication Privacy Act. These provisions impose criminal penalties for accessing electronic communication systems without the authorization of the owner of such systems. We informed the intelligence oversight committees and the House and Senate Judiciary Committees of our concerns, and they responded by explicitly exempting foreign intelligence activities involving foreign electronic communication systems.

The inclusion of the intelligence exemption eliminates the concerns the Intelligence Community had with the bill. I therefore can recommend Presidential approval of this legislation.

Sincerely,

A handwritten signature in cursive script, reading "William J. Casey".

William J. Casey
Director of Central Intelligence

Central Intelligence Agency



Washington, D.C. 20505

OCA 86-3463

15 OCT 1986

The Honorable James C. Miller, III
Director
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Miller:

This is in response to your request for the views of the Director of Central Intelligence on enrolled bill H.R. 4952, the Electronic Communication Privacy Act of 1986.

The Central Intelligence Agency and the National Security Agency have been concerned about the possible adverse impact on foreign intelligence collection activities of certain provisions contained in the Electronic Communication Privacy Act. These provisions impose criminal penalties for accessing electronic communication systems without the authorization of the owner of such systems. We informed the intelligence oversight committees and the House and Senate Judiciary Committees of our concerns, and they responded by explicitly exempting foreign intelligence activities involving foreign electronic communication systems.

The inclusion of the intelligence exemption eliminates the concerns the Intelligence Community had with the bill. I therefore can recommend Presidential approval of this legislation.

Sincerely,

/s/ William J. Casey

William J. Casey
Director of Central Intelligence

Distribution:

ORIGINAL - Addressee

1 - Executive Registry

1 - EXDIR

1 - D/OCA

1 - DD/Senate Affairs

1 - [] Liaison

1 - OCA Registry (Referenced ACTION per telecon to [] 14 Oct 86)

1 - OCA/Legislation Subject File: Computer Fraud

1 - [] Signer

OCA/Legislation, [] (14 October 1986)

STAT

STAT

STAT

STAT

MEMORANDUM FOR:

Please note the action initiated for signature on this letter was received per telecon to [redacted] A request on the enrolled bill requires we submit Mr. Casey's letter by COB 15 October 1986.

STAT

OCA/Legislation

Date 14 OCT 1986

FORM 101 USE PREVIOUS EDITIONS
5-75